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Signature: /Gary R. Fabian/ Reg. No. 33,875

Date: 3 February 2010

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE	
In Re Application of: Stanford Mark Moran	Confirmation No. 8022
Serial No.: 10/004,118	Art Unit: 1647
Filing Date: 30 October 2001	Examiner: Seharaseyon, J.
Title: METHOD FOR TREATING DISEASES WITH OMEGA INTERFERON	

RESPONSE TO REJECTION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is in response to the Office Action in the above-referenced application, mailed 3 February 2009. A Notice of Appeal was filed in this application on 3 August 2009. Accompanying this response is a petition for extension of time (four months) and a Request for Continued Examination (RCE). Thus the response date with four-month extension is Wednesday 3 February 2010. Authorization for payment of the fee for the extension of time accompanies this paper in the Petition for Extension of Time. Also accompanying this response is a Request for Continued Examination (RCE), including authorization for the required fee. Reconsideration of the application in view of the following amendments and remarks is respectfully requested.

Introductory Comments

I. Summary of the Office Action

All previously asserted rejections and objections have been withdrawn. In the Office action, mailed 3 February 2009, the Examiner asserted the following new rejections:

The Examiner rejected claims 87, 88, 90-96 and 98-108 and 114 under 35 U.S.C. §103(a) asserting that the claims are unpatentable over Goeddel, et al., US 5,120,832, in view of Parker, et al., WO 00/40273, and Albrecht, et al., US 6,172,046, and further in view of Theeuwes, et al., US 4,976,966.

The Examiner rejected claims 86, 97, 103 and 109-113 under 35 U.S.C. §103(a) asserting that the claims are unpatentable over Goeddel, et al., US 5,120,832, in view of Parker, et al., WO 00/40273, and Albrecht, et al., US 6,172,046, and further in view of Theeuwes, et al., US 4,976,966, and Guillen, et al., US 6,074,673.

The Examiner provisionally rejected claims 87, 88, 90-96, 98-108 and 114 on the grounds of non-statutory obviousness-type double patenting as being unpatentable over claims 65 and 86-104 of co-pending U.S. Patent Application No.10/982,532.

The Examiner provisionally rejected claims 87, 88, 90-96, 98-108 and 114 on the grounds of non-statutory obviousness-type double patenting as being unpatentable over claims 1, 5-7, 17-22, 25 and 40-55 of co-pending U.S. Patent Application No. 11/811,415.

These rejections are traversed for reasons discussed below.